

13142 U.S.PTO
021004THE COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D. C. 2023117302 U.S.PTO
10/774530

021004

Sir:

Transmitted herewith for filing is the patent application of

Inventor(s): Johannes Menzel, Markus Keller, Helmut Lux,
Christoph von Hiller, Günter Wolf and Andreas GuipFor: Antivibration Device

Also enclosed are:

Seven (7) sheet(s) of drawing.

An assignment of the invention to _____.

A certified copy of the German application.

An Information Disclosure Statement.

A Commentary on U.S. Patent 6,471,179 (Tousi et al).

The application consisting of pages 1 to 26 attached to declaration not signed by the Inventor(s).

The filing fee has been calculated as shown below:

| (Col. 1) | (Col. 2) | SMALL ENTITY | OTHER THAN A SMALL ENTITY |
|--|------------------------------------|-----------------|------------------------------|
| FOR: | NO. FILED NO. EXTRA | RATE FEE | OR RATE FEE |
| <u>BASIC FEE</u> | | \$385 | OR \$770 |
| <u>TOTAL CLAIMS</u> 23 -20= | * 3 | x9= \$ | OR x18= 54 |
| <u>INDEP CLAIMS</u> 1 -3= | * 0 | x43= \$ | OR x86= 0 |
| | MULTIPLE DEPENDENT CLAIM PRESENTED | +145= \$ | OR +290= |
| * If the difference in Col. 1 is less than zero, enter "0" in Col. 2 | | <u>TOTAL</u> \$ | <u>OR</u> <u>TOTAL</u> \$824 |

A check in the amount of \$824.00 to cover the filing fee is enclosed.

A check in the amount of \$ to cover the filing fee for the assignment.

The Commissioner is hereby authorized to charge payment of the following fees which may be required during the entire pendency of the application to Deposit Account No. 15-0773 or credit any overpayment to said account:

- any patent application filing fees required under 37 CFR 1.16;
- any filing fees required under 37 CFR 1.16 for presentation of extra claims; and,
- any patent application processing fees required under 37 CFR 1.17.

A copy of this sheet is enclosed.

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Date: February 10, 2004

Respectfully submitted,

Walter Ottesen
Registration No. 25,544

In the United States Patent and Trademark Office

Applicants: J. Menzel et al

Attorney Docket: A 91388-C

For: Antivibration Device

Commentary on United States Patent 6,471,179 (Tousi et al)

Commissioner for Patents and Trademarks
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

In parent application 10/133,586, filed April 29, 2002, Tousi et al was applied against the claims in combination with Dorner et al because it was believed that the vibration dampers shown for motor vehicles in Tousi et al could be utilized in portable handheld work apparatus by exercising only ordinary skill.

Applicants respectfully submit that there is no suggestion in Tousi et al to use isolating elements made of polyurethane foam for suspending the engine of a motor vehicle. The characteristics described in the applicants' disclosure in the CIP-application submitted herewith show that a suspension of the engine of a motor vehicle on isolating elements made of polyurethane foam is not really practical. The engine of a motor vehicle has a comparatively high inherent weight. The high static base load, which results therefrom, requires a stiff design of the isolating elements. The low idle rpm of an engine of a vehicle lies below the resonance frequency. With increasing rpm, a frequency-dependent stiffening occurs and, as a consequence thereof, the resonance frequency increases with the excitation frequency. Accordingly, unwanted resonances can occur over

a wide rpm range.

The Examiner is respectfully asked to consider the above and especially the applicants' discussion of Tousi et al in the introduction of their disclosure of their CIP-application.

Respectfully submitted,



Walter Ottesen
Reg. No. 25,544

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